

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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New Jersey Carpenters Health Fund, <i>et al.</i> ,	:
	:
Plaintiffs,	:
	:
v.	:
	:
Residential Capital, LLC, <i>et al.</i> ,	:
	:
Defendants.	:
	:
-----X	


Civil Action No.
08-CV-8781 (KPF)

**THE UNDERWRITER
DEFENDANTS' NOTICE
OF MOTION FOR
SUMMARY JUDGMENT
AND FOR EXCLUSION OF
PLAINTIFFS' PROFFERED
EXPERT TESTIMONY**

PLEASE TAKE NOTICE that upon (i) the accompanying memorandum of law in support of the Underwriter Defendants' motion for summary judgment or, in the alternative, for exclusion of Plaintiffs' proffered expert testimony, (ii) the Declaration of Alfred L. Fatale III, dated October 17, 2014, with attached exhibits, (iii) the Declaration of Israel David, dated October 17, 2014, with attached exhibits, (iv) the Underwriter Defendants' Local Civil Rule 56.1 Statement of Material Facts as to Which There Is No Genuine Issue to be Tried and (v) all prior pleadings and proceedings herein, defendants Citigroup Global Markets Inc., Goldman, Sachs & Co. and UBS Securities LLC (collectively, the "Underwriter Defendants") will move this Court, before the Honorable Katherine Polk Failla, at a date and time to be set by the Court, in Courtroom 618, Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, pursuant to Federal Rule of Civil Procedure 56, Federal Rules of Evidence 403 and 702, and *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993), for an order (i) granting summary judgment; (ii) excluding in part the testimony of Plaintiffs' proffered experts Leonard A. Blum, Charles D. Cowan, Michael L. Hartzmark, Robert C. Hockett, Ira H. Holt, Jr. and Adam J. Levitin; and (iii) granting the Underwriter Defendants such other and further relief as the Court deems just and proper.

Dated: New York, New York
October 17, 2014

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CERTIFICATE OF SERVICE

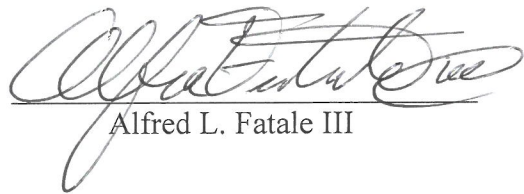
I certify under penalty of perjury pursuant to 28 U.S.C. § 1746 that on October 17, 2014, I caused to be served upon the following, by ECF, first class U.S. mail and electronic mail, a true copy of the attached Underwriter Defendants' Notice of Motion for Summary Judgment and for Exclusion of Plaintiffs' Proffered Expert Testimony:

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Dated: New York, New York
October 17, 2014



Alfred L. Fatale III